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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/280,618	03/29/1999	MAHDI S. CHAMBERS	CHAMBERS-1	6099

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EXAMINER

KWOH, JASPER C

ART UNIT	PAPER NUMBER
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2663

DATE MAILED: 01/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/280,618

Applicant(s)

CHAMBERS, MAHDI S.

Examiner

Jasper Kwoh

Art Unit

2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 March 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 39 is objected to because of the following informalities: Claim 39 includes "an plurality" and should be changed to "a plurality." Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 3 and 31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 3 recites the limitation "said initial message" in line 3. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 31 recites the limitation "said Q.931 information" in line 2. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application

being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Deschaine et al.

Regarding claim 1, Deschaine et al. discloses a method comprising receiving signaling data from the original location (i.e. fig. 3, col. 4, ll. 14-21; signaling data is received through 128); determining the call type from the signaling data (i.e. fig. 3, 126, col. 4, 20-22, determines if the call is for voice or internet); directing the signaling data to the destination location (i.e. col. 4, ll. 22-26; internet routing element 124/144 alleviates congestion for internet traffic); and controlling a switch serving the destination location to direct traffic data (i.e. col. 4, ll. 34-35, control the internet routing element).

Regarding claims 2-18, 24-38, Deschaine et al. discloses a method and apparatus including tables (i.e. col. 6, ll. 36, performing lookup for routing), first protocol (i.e. col. 4, ll. 32-33, SS7) and second protocol (i.e. col. 5, ll. 10-12, Q.931), translating the signaling message from the first to second protocol and forward to appropriate destinations (i.e. col. 5, ll. 9-12, SS7 signaling is converted to Q.931 for use over standard interface and network terminator 54 provides the signal interface), destination is a class 5 switch and remote access server (i.e. fig. 2, 16, 24), sending command to switch and setting up ATM connection (i.e. col. 6, ll. 25-54, EO uses master controller to control routing and inform the switch) and table stores call detail information including party number (i.e. col. 6, ll. 57-58, collects called digits). It is inherent that there is

plurality of signaling messages which implies there's an initial and following messages, messages are decoded.

Regarding claim 19, Deschaine et al. discloses a router comprising a first segment that determines call type (i.e. col., 5, ll. 23-26, determines if call is for PSTN or ISP) and a second segment for switching transmission between destinations (i.e. fig. 3, 116, diverts the call).

Regarding claims 20-22, Deschaine et al. discloses a router comprising receiving setup information of first protocol (i.e. col. 5, ll. 22-53, received SS7 message), determine call type (i.e. col. 5, ll. 22-25), for normal calls, it's forwarded (i.e. col. 5, ll. 26-35), translating to second protocol for second call type (i.e. col. 5, ll. 6-11, signaling between line access switching end office switch and STP are done using standard signaling message Q.931 which are converted and forwarded from original signaling messages), controlling switch ATM switch (i.e. col. 6, ll. 25-54, EO uses master controller to control routing and inform the ATM switch for ATM network 46)

Regarding claim 23, Deschaine et al. discloses an apparatus comprising a receiver for receiving setup information of first protocol (i.e. col. 5, ll. 22-53, received SS7 message), processor to determine call type (i.e. col. 5, ll. 22-25), second processing unit for translating to second protocol for second call type (i.e. col. 5, ll. 6-11, signaling between line access switching end office switch and STP are done using standard signaling message Q.931 which are converted and forwarded from original signaling messages), a transmitter for forwarding for normal calls to PSTN for internet to ISP (i.e. col. 5, ll. 26-35), means for controlling switch ATM switch (i.e. col. 6, ll. 25-54,

EO uses master controller to control routing and inform the ATM switch for ATM network 46)

Regarding claim 39, a destination call router comprising plurality of ATM switches (i.e. fig. 2, 46, ATM network includes plurality of ATM switches); and a router (i.e. fig. 2, 24, that intercepts first signal,(STP or other equivalent components receives the signaling message), translates (i.e. fig. 4C, SS7 is translated to ISUP fig. 5, 54, network terminator provides signal interface), and route to destination (network switch routes (i.e. fig. 4C 144 DEXCS) and controls ATM switches ( the data network is ATM (fig. 2, 46).

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Civanlar et al. is cited to show a WAN based gateway ;
- b. LaPier et al. is cited to show a method and apparatus for interconnecting a circuit switched telephony network and a packet switched data network;
- c. Bartholomew is cited to show internet telephone service with mediation;
- d. Turner et al. is cited to show a SS7 mediation for data network call setup and services interworking;
- e. Gardner et al. is cited to show a broadband telecommunications system interface;
- f. Harvell et al. is cited to show a proxy VAT-PSTN origination; and

g. Christie et al. is cited to show a system and method for interfacing a local communication device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasper Kwoh whose telephone number is (703) 305-0101. The examiner can normally be reached on Monday-Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (703)308-5340. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.



JK  
January 17, 2003

Jasper Kwoh  
Examiner  
Art Unit 2663



MELVIN MARCELO  
PRIMARY EXAMINER